IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 22179 of 2004

Between:

S.S.Jones S/o. Late Raja Rao
Rvenue Department R/o.D.No.48-1-46 Dwarakanagar, Visakhapatnam.

..... PETITIONER

AND

1 Government of A.P., Rep. by its Secretary, Revenue (Service-I) Department, Secretariat Buildings, Hyderabad
2 The Commissioner of Land Revenue Government of A.P.Nampally Station Road, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ order or direction particularly one in the nature of Mandamus declaring the order dated 5.4.2004 in O.A.No.5709 of 1999 on the file of the Honourable Andhra Pradesh Administrative Tribunal, Hyderabad Bench, in so far it relate to not acceding to the Petitioners prayer regarding payment of interest at 24% p.a. on the delayed payment of pensionary benefits amounting to Rs.2,34,720/- and also on delayed payment of pension with effect from 1.11.1993 till the date of payment and consequently by nullifying the same direct the respondents to pay interest at the rate of 24% p.a. on the delayed payment of pensionary benefits amounting to Rs.2,34,720/- and also on delayed payment of pension with effect from 1.11.1993 till the date of payment.

Counsel for the Petitioner: DR.P.B.VIJAY KUMAR

Counsel for the Respondents: GP FOR REVENUE

The Court made the following:

ORAL ORDER (PER GB,J)

The Writ Petition is filed against the order dated 5-4-2004 passed by the A.P. Administrative Tribunal in O.A.No.5709 of 1999.

2. Petitioner claimed interest on the pension and DCRG. The learned Tribunal after considering the matter disposed of the Writ Petition with the following directions:

> "As already held in the above O.As., the applicant in this case is also entitled for payment of interest @ 7% p.a. as per the rules on the DCRG amount from 1-11-1994 onwards for a period of one year and beyond this period of one year, the applicant is entitled for interest @ 10% till actual payment of DCRG was made to him in January, 2000. Accordingly, the respondents are directed to release these amounts along with interest as per the rules to the applicant within three months from the date of receipt of this order. The applicant is not entitled for interest on the pension. Hence, the same was denied. The O.A., is accordingly, disposed of. No costs."

Not satisfied with the interest granted by the tribunal, the present Writ Petition has been filed seeking interest @ 24%.

3. Learned counsel for the petitioner submits that the petitioner is entitled for higher interest, as, if he deposits the amount, he will get more interest.

4. We are afraid the contention of the learned counsel for the petitioner is wholly misconceived. The Tribunal has granted very appropriate and reasonable interest, which cannot be said to be illegal and contrary to law. Thus, we do not find any illegality or irregularity in the order passed by the Tribunal and the Writ Petition is liable to be dismissed.

5. Accordingly, the Writ Petition is dismissed. No costs.

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(G. BIKSHAPATHY, J.)

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(P.S. NARAYANA, J.)

Date: 03-12-2004

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To

1 The Secretary, Government of A.P., Revenue (Service-I) Department, Secretariat Buildings, Hyderabad
2 The Commissioner of Land Revenue Government of A.P.Nampally Station Road, Hyderabad.

3 The Registrar, A.P. Administrative Tribunal, Hyderabad.

4 2 CCs to the G.P. for Revenue, High Court of A.P., Hyderabad (OUT).

5 2 CD copies.